

~~PRETRIAL~~ ORDER/COVER SHEET

**TO:** Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**FROM:** Claudette M. Silvera, Chief  
U.S. Pretrial Services Officer

**RE:** Daniel Armstrong

**DOCKET NO.:** 06-cr-00336-SBA-5

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Hence Williams  
U.S. Pretrial Services Officer

510-637-3755  
TELEPHONE NUMBER

**RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)**

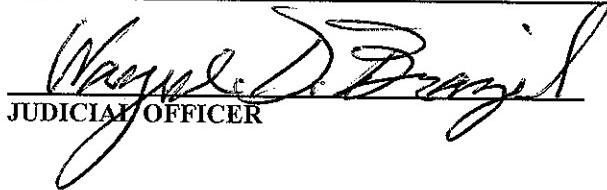
We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

- I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
- Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. 4 on WEDNESDAY, 5/9/07 at 10:00 a.m..
- Inform all parties concerned that a Bail Review Hearing will be conducted by:  
Magistrate Judge \_\_\_\_\_ Presiding District Court Judge \_\_\_\_\_
- I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:
- Modification(s)
- A.  
B.
- Bail Revoked/Bench Warrant Issued.
- I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).
- Other Instructions:

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Wayne D. Brazil  
JUDICIAL OFFICER

5-7-07  
DATE

Cover Sheet (12/03/02)

cc: WOB's Stats, Copy to parties via ECF,  
Pretrial, Financial, Lisa Clark

**To:** Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**From:** Hence Williams III  
U.S. Pretrial Services Office

**Subject:** Daniel Armstrong  
06-cr-00336-SBA-5

**Date:** May 7, 2007



## MEMORANDUM

Mr. Armstrong is the sole defendant charged in an Indictment, with a violation of Title 18, United States Code, Section 1349-Conspiracy to Commit Bank Fraud. Mr. Armstrong initially appeared on May 24, 2006, before Your Honor, charged with the instant offense. As Mr. Armstrong is currently on federal probation he was released under U.S. Pretrial Services supervision with the following conditions:

1. The defendant shall not travel outside the Alameda and San Francisco counties.
2. The defendant shall report in person immediately upon release and thereafter as directed to U.S. Probation in Oakland, California.
3. The defendant shall surrender all passports and visas to the Court as soon as possible and shall not apply for any passports or other travel documents.
4. The defendant shall not possess any firearm, destructive device, or other dangerous weapon.
5. The defendant shall not use alcohol and shall not use or possess any narcotic or other controlled substance without a legal prescription.
6. The defendant shall have no contact with any co-defendant out of the presence of counsel under the new case CR06-00336 SBA.
7. The defendant shall not change residence without prior approval of Pretrial Services.
8. The defendant must reside in Halfway House and may leave only as directed by Pretrial Services and U.S. Probation, for court appearances, attorney visits, medical emergencies.
9. The defendant may only use the telephone to talk to his lawyer, Pretrial Services Officer, U.S. Probation Officer and personal calls by calling his family and sureties.
10. The defendant shall be released by the U.S. Marshals Service after the defendant's appearance before U.S. District Judge Claudia Wilken on May 5, 2006, at 2:00 pm.

On August 31, 2006, an order was signed by the Honorable Saundra B. Armstrong, U.S. District Court Judge which added/ modified the defendant's release conditions as follows:

1. The condition that the defendant must reside at the Cornell Halfway House and may leave only as directed by Pretrial Services and Probation is eliminated.
2. Mr. Armstrong is required to reside at 3240 Sacramento Street #2, Berkeley California, subject to an automatic voice-recognition curfew to be administered by Pretrial Services.
3. Mr. Armstrong is subject to the remaining conditions set forth in the Conditions of Release and Appearance dated May 30, 2006, as directed by Probation.

As such, Mr. Armstrong was placed on Pretrial Services supervision in conjunction with his Probation supervision.

**PRETRIAL SERVICES MEMO FOR THE  
HONORABLE WAYNE D. BRAZIL, U.S. MAGISTRATE JUDGE  
RE: Armstrong, Daniel**

On September 7, 2006, Mr. Armstrong reported to Pretrial Services and a post bail interview was conducted. As Mr. Armstrong was interviewed by Pretrial Services in 2002, a supplemental report to the report prepared on August 29, 2002, was completed. Both are attached for Your Honors review.

On May 3, 2007, Assistant United States Attorney Alicia Fenrick informed Pretrial Services that the defendant was cited for driving on a suspended license and driving with out a front license plate. Ms. Fenrick added that officers who conducted a search of the vehicle found multiple identification cards with the defendants picture and multiple credit cards in the name "Maurice Shabazz."

Official police incident reports obtained by Pretrial Services indicate that on May 2, 2007, Officers conducted a traffic stop on a vehicle that did not have a front license plate. Officers contacted the driver, Daniel Armstrong, and learned he did not have a driver's license. Officers requested identification from Mr. Armstrong and he produced two forms: a California identification card in the name of Daniel Armstrong and a Nevada identification card in the name of Maurice Shabazz. A search of the vehicle produced five credit/debit/bank cards, one Western Union card, and one Fedex Kinko card all in the name Maurice Shabazz. Mr. Armstrong stated to officers he legally changed his name in Nevada. In the glove compartment was a large envelope with three credit reports for the same person, Tarrance Champlaine.

This Officer spoke with Mr. Armstrong on May 3, 2007, about his recent law enforcement contact. Mr. Armstrong stated he was cited for driving without a license and having no front license plate. This officer questioned Mr. Armstrong about the Nevada identification card. Mr. Armstrong stated he had legally changed his name back in November 2005. Mr. Armstrong advised he was sorry for not informing Pretrial Services of the name change. He added that the credit reports belonged to his cousin, Tarrance Champlaine.

Based on the recent events, the defendant's prior criminal convictions, and allegations of the present offense there is reason to believe Mr. Armstrong violated the law and thus violated the terms and conditions of his release. Pretrial Services respectfully recommends that Mr. Armstrong be ordered to appear before Your Honor to show cause why his bail should not be revoked.

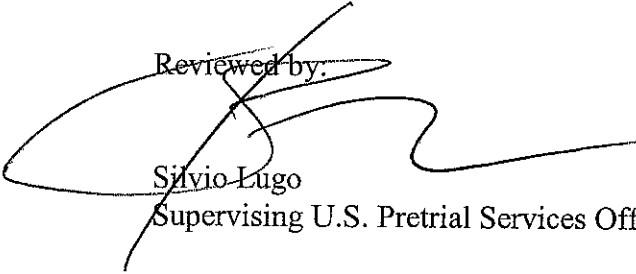
Respectfully Submitted,



Hence Williams  
U.S. Pretrial Services Officer

**PRETRIAL SERVICES MEMO FOR THE  
HONORABLE WAYNE D. BRAZIL, U.S. MAGISTRATE JUDGE  
RE: Armstrong, Daniel**

Reviewed by:



Silvio Lugo

Supervising U.S. Pretrial Services Officer

cc: Honorable Saundra B. Armstrong,  
U.S. District Court Judge